

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re:

John Malone,

Debtor

Chapter 13
24-10885-CJP

**NOTICE OF INTENDED PRIVATE SALE OF PROPERTY, SOLICITATION OF
COUNTEROFFERS, DEADLINE FOR SUBMITTING OBJECTIONS AND HIGHER
OFFERS AND HEARING DATE**

**As soon as reasonably practicable after
Court approval**

IS THE DATE OF THE PROPOSED SALE

December 16, 2025 at 12:00 p.m.

**IS THE DATE BY WHICH OBJECTIONS OR
COUNTEROFFERS MUST BE MADE**

NOTICE is hereby given, pursuant to 11 U.S.C. § 363, Fed. R. Bankr. P. 2002(a)(2) and 6004, and MLBR 2002-5 and 6004-1, that the trustee (or, where applicable, the debtor), intends to sell at private sale the debtor's right, title and interest in certain property of the estate.

PROPERTY TO BE SOLD:

26 Savin Hill Avenue, Boston, MA (the "Property")

THE OFFER:

Seven hundred sixty-five thousand dollars (\$765,000.00) with a life estate

The debtor has received an offer to purchase the property for the sum of seven hundred sixty-five thousand dollars (\$765,000) in cash (with a life estate).

THE PROPOSED BUYER:

The proposed buyer is **28 Berkshire Avenue LLC, c/o Peter Pasciucco, Esq.** The relationship of the proposed buyer to the debtor (or trustee, if applicable) is: **None.**

THE SALE DATE:

The sale shall take place on or before **a date reasonably after approval of the sale.** The proposed buyer has paid a deposit in the sum of **\$5,000.** The terms of the proposed sale are more particularly described in a Motion for Order Authorizing and Approving Private Sale of Property of the Estate (the "Motion to Approve Sale") filed with the Court and as supplemented on November 25, 2025, and a written purchase and sale agreement dated September 10, 2025. The Motion to Approve Sale and the purchase and sale agreement are available at no charge upon request from the undersigned.

SALE FREE AND CLEAR OF LIENS:

The Property will be sold free and clear of all liens, claims and encumbrances. Any perfected, enforceable valid liens shall attach to the proceeds of the sale according to priorities established under applicable law.

COUNTEROFFER OR OBJECTIONS:

Any objections to the sale and/or higher offers must be filed in writing with the Clerk, United States Bankruptcy Court at John W. McCormack Post Office and Court House, 5 Post Office Square, Suite 1150, Boston, Massachusetts 02109 on or **December 16, 2025 at 12:00 p.m.** (the "Objection Deadline"). A copy of any objection or higher offer also shall be served upon the undersigned. Any objection to the sale must state with particularity the grounds for the objection and why the intended sale should not be authorized. Any objection to the sale shall be governed by Fed. R. Bankr. P. 9014.

Through this Notice, higher offers for the Property are hereby solicited. Any higher offer must be accompanied by a cash deposit of \$5,000 in the form of a certified or bank check made payable to the undersigned. Higher offers must be on the same terms and conditions provided in the Purchase and Sale Agreement, other than the purchase price.

HEARING:

A telephonic hearing on the Motion to Approve Sale, objections or higher offers is scheduled to take place on **December 17, 2025 at 3:30 p.m.** before U.S. Bankruptcy Judge Christopher J. Panos, in **Courtroom 1, John W. McCormack Post Office and Court House, 5 Post Office Square, Boston, Massachusetts 02109**, with an option to appear by Zoom video (except that at least one representative of each respective bidder, both with respect to the original offeror and any competing offerors, who should appear in person). To obtain the video access information for the hybrid hearing, parties in interest must email the Courtroom Deputy at cjp_courtroom_deputy@mab.uscourts.gov by **December 16, 2025 at 4:30 p.m.**, providing the contact information for the party seeking to appear by video. Any party who has filed an objection or higher offer is expected to be present at the hearing, failing which the objection may be overruled or the higher offer stricken. The Court may take evidence at any hearing on approval of the sale to resolve issues of fact. If no objection to the Motion to Approve Sale or higher offer is timely filed, the Court, in its discretion, may cancel the scheduled hearing and approve the sale without hearing.

At the hearing on the sale the Court may 1) consider any requests to strike a higher offer, 2) determine further terms and conditions of the sale, 3) determine the requirements for further competitive bidding, and 4) require one or more rounds of sealed or open bids from the original offeror and any other qualifying offeror.

DEPOSIT:

The deposit will be forfeited to the estate if the successful purchaser fails to complete the sale by the date ordered by the Court. If the sale is not completed by the buyer approved by the Court, the Court, without further hearing, may approve the sale of the Property to the next highest bidder.

Any questions concerning the intended sale shall be addressed to the undersigned.

Dated: , 2025

Respectfully Submitted, By
Debtor's Counsel,
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